

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARVEL JONES,

Plaintiff,

vs.

JOHN CARTER, sued in their individual and
in their official capacities; TIMOTHY
CARMICHAEL, sued in their individual and
in their official capacities; JEFFREY
HOWARD, sued in their individual and in
their official capacities; CITY OF LINCOLN,
and CHIEF OF LINCOLN POLICE
DEPARTMENT, sued in their individual and
in their official capacities;

Defendants.

8:20CV62

ORDER

This matter is before the Court on defendant's notice/motion to proceed IFP on appeal, Filing No. 88. However, the motion states the defendant has means of paying filing fees and "the costs to proceed." For this reason, the Court will deny the motion to proceed IFP.

The Court will likewise deny the motion to appoint counsel, Filing No. 90, because the Court believes the arguments are without merit as set forth in this Court's previous Memorandum and Order and Judgment, Filing Nos. 85 and 86.

Dated this 22nd day of September, 2021.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge